

REMARKS

I. STATUS OF THE CLAIMS

New claim 17 is added.

Therefore, it is respectfully submitted that claims 1-17 are currently pending. Of these, claims 3-6, 8, 11-14 and 16 are "objected to".

II. OBJECTION TO THE DISCLOSURE

Claim 4 is amended to overcome the objection.

III. REJECTION OF CLAIMS 1, 2 AND 7 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY VORTMANN

In the outstanding Office Action, the Examiner asserts that Vortmann shows a rotating shaft 12, a support 17 rotatable around the shaft 12, at least one accommodating unit 19 for accommodating articles, and a driving device 11, wherein the accommodating unit 19 is provided on a shaft 18 which is inclined relative to the shaft 12.

However, it is respectfully submitted that the accommodating unit 19 indicated by the Examiner is not an accommodating unit capable of accommodating articles therein, but is instead a support for supporting articles such as crank shafts of engines during transfer. See, for example, column 2, line 60, through column 3, line 27, of Vortmann.

In contrast, an accommodating unit 520, as disclosed in the specification of the present application, surrounds the articles to be accommodated therein. Therefore, to further distinguish over Vortmann, claim 1 is amended to recite that the accommodating unit accommodates the articles "so as to surround the articles".

In view of the above, it is respectfully submitted that the rejection is overcome.

IV. REJECTION OF CLAIMS 9, 10 AND 15 UNDER 35 USC 102(B) AS BEING ANTICIPATED BY SOUTHCOTT

The Examiner asserts that Southcott shows an apparatus for changing the directions of sticks, having a rotating shaft 5, a support member 4, an accommodating unit 14 and a rotation driving device 12, wherein the accommodating unit 14 is inclined to the rotating shaft 5.

However, the accommodating unit 14 indicated by the Examiner is not an accommodating unit capable of accommodating sticks therein, but a suction device for holding cigarette packets by suction. See, for example, column 2, lines 14-53, of Southcott.

Therefore, to further distinguish over Southcott, claim 9 is amended to recite that the

accommodating unit accommodates the sticks "so as to surround the sticks" while aligning the sticks along a supporting shaft inclined to the rotating shaft.

In view of the above, it is respectfully submitted that the rejection is overcome.

V. NEW CLAIM

New claim 17 is added. New claim 17 recites that the articles are elongated articles and the rotating shaft, the supporting member, the accommodating unit and the rotation driving device are arranged with respect to each other so that rotation of the supporting member around the rotating shaft by the rotation driving device causes the elongated articles accommodated by the accommodating unit to be conveyed from a first position in which the elongated articles are vertically aligned to a second position at a different location than the first position and in which the elongated articles are horizontally aligned.

Support for claim 17 is found, for example, in FIGS. 1 and 2, and the disclosure on page 20, line 7, through page 23, line 9, of the specification.

In Vortmann, articles are conveyed from a first direction to a second direction, where the first and second directions lie in the same horizontal plane. See, for example, the Abstract; column 1, lines 39-40; and FIG. 3 of Vortmann.

Therefore, Vortmann does not convey articles from a first position in which the articles are vertically aligned to a second position in which the articles are horizontally aligned. Accordingly, it is respectfully submitted that the overall operation and mechanical structure of the apparatus in Vortmann is significantly different than that recited, for example, in claim 17.

In Southcott, the packages are conveyed from a horizontal position to a vertical position. See, for example, the Abstract of Southcott. This conveyance from a horizontal position to a vertical position is substantially opposite to that recited, for example, in claim 17, where elongated articles are conveyed from a first position in which the elongated articles are vertically aligned to a second position at a different location than the first position and in which the elongated articles are horizontally aligned.

Accordingly, it is respectfully submitted that the overall operation and mechanical structure of the apparatus in Southcott is significantly different than that recited, for example, in claim 17.

In view of the above, it is respectfully submitted that claim 17 is allowable over the cited references.

VI. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

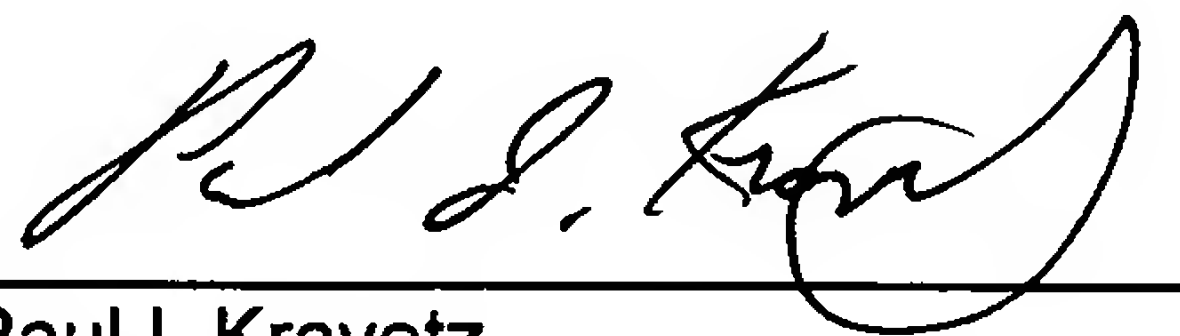
Respectfully submitted,

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